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NOTICE OF MOTION

00 Civ. 4530 (NGG/VVP)

PLEASE TAKE NOTICE that upon the Declaration of Laura Tuell Parcher, dated January 29, 2001, the exhibits annexed thereto, the accompanying Memorandum of Law and all of the pleadings and proceedings heretofore had herein, Defendants RJR Nabisco, Inc., R.J. Reynolds Tobacco Company, R.J. Reynolds Tobacco International, Inc., Nabisco Group Holdings Corp., R.J. Reynolds Tobacco Holdings, Inc., and RJR Nabisco Holdings Corp., by and through its undersigned counsel, hereby moves for an order dismissing this action pursuant to Federal Rules of Civil Procedure 12(b)(1) and (b)(6).

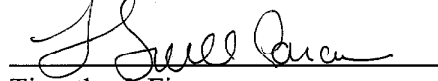
PLEASE TAKE FURTHER NOTICE that answering papers are to be served on or before

February 26, 2001 and reply papers are to be served on or before March 12, 2001.

Dated: January 29, 2001

Respectfully submitted,

JONES, DAY, REAVIS & POGUE



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